

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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TOMMY EDWARD JACKSON,

Plaintiff,

Case No. 19-cv-1497-pp

v.

ROBERT E. ELLSWORTH CORRECTIONAL CENTER,  
WARDEN SARAH COOPER,  
and SUPERINTENDENT PAULA STAUDT,

Defendants.

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**ORDER DISMISSING CASE FOR FAILURE TO DILIGENTLY PURSUE IT  
UNDER CIVIL LOCAL RULE 41(C)**

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On December 3, 2019, the court issued an order requiring that by the end of the day on January 3, 2020, the plaintiff either must pay the \$3.19 initial partial filing fee, file a written request for leave to pay the \$3.19 filing fee from his release account (if he had enough money in that account) or explain to the court in writing why he couldn't pay the \$3.19 fee from either his trust or release account. Dkt. No. 9. The court told the plaintiff that if he didn't do one of these things by the end of the day on January 3, 2020, the court would dismiss his case for failure to diligently pursue it. *Id.* at 2.

Since December 3, 2019, the court has not received the filing fee, a request for leave to pay from his trust account or an explanation from the plaintiff of why he can't pay. The court *has* received a letter from the plaintiff, asking about the status of his cases. Dkt. No. 10. The plaintiff says in the letter, "if I am in penalty for not asking for the right amount then I am asking it

to go in with the right so we can go on with the cases . . . ." *Id.* The court does not know what that means, but it is not an explanation for why the plaintiff has not done what the court ordered him to do.

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** for failure to diligently pursue it under Civil L.R. 41(c) (E.D. Wis.).

Dated in Milwaukee, Wisconsin this 6th day of January, 2020.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
**Chief United States District Judge**